

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Application Number: 10/767,661 Confirmation Number: 5386

Filing Date: January 29, 2004

First Named Inventor: Michael Svilar et al.

Group Art Unit: 3623

Examiner: McPhillip, Adrian J.

Attorney Docket Number: 10761.1467-00

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. Submission required under 37 C.F.R. § 1.114: Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment.

- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
 ii. Other Amendment and Response, filed January 22, 2010.

- b. DO NOT ENTER the amendment(s) previously filed on _____. An alternate submission is attached.

- c. Enclosed submission:

- | | |
|--|--|
| i. <input type="checkbox"/> Amendment/Reply | iii. <input type="checkbox"/> Information Disclosure Statement |
| ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) | iv. <input type="checkbox"/> Other _____ |

2. Miscellaneous

- a. Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
 b. Other _____

3. Fees

- a. The filing fee is calculated as follows:

i. \$810.00 RCE fee required under 37 C.F.R. § 1.17(e)

ii. Petition for extension of time for (1 Month) \$130.00

iii. Other _____

- b. Payment in the amount of \$940.00 is being paid by credit card.

- c. The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Maura K. Moran (617) 452-1657 Reg. No.: 31,859

Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.

Signature:  Date: March 11, 2010

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being transmitted via EFS-Web to the U.S. Patent and Trademark Office on: March 11, 2010

Name: Christine Shayda

Signature:  Date: March 11, 2010